

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

RUBEN SERVIN,	)	
	)	
Petitioner,	)	No. C 08-0283 CRB (PR)
	)	
vs.	)	ORDER OF TRANSFER
	)	
TONY HEDGPETH, Warden,	)	
	)	
Respondent.	)	
_____	)	

Petitioner seeks federal habeas review of a conviction from the Superior Court of the State of California in and for the County of Los Angeles, which lies within the venue of the Central District of California, Western Division. See 28 U.S.C. § 84(c)(2). Petitioner is incarcerated at Kern Valley State Prison in Delano, County of Kern, which lies within the venue of the Eastern District of California. See id. § 84(b).

Venue is proper in a habeas action in either the district of confinement or the district of conviction, see id. § 2241(d); however, petitions challenging a conviction preferably are heard in the district of conviction. See Habeas L.R. 2254-3(a); Dannenberg v. Ingle, 831 F. Supp. 767, 767 (N.D. Cal. 1993).

1 Because the County of Los Angeles lies in the Central District of California,  
2 Western Division, the court ORDERS that pursuant to 28 U.S.C. § 1404(a) and Habeas  
3 Local Rule 2254-3(b), and in the interest of justice, this petition be TRANSFERRED to  
4 the United States District Court for the Central District of California, Western Division.

5 The clerk shall transfer this matter and terminate all pending motions as moot.

6 SO ORDERED.

7 DATED: January 23, 2008

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CHARLES R. BREYER  
United States District Judge

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

RUBEN SERVIN,

Plaintiff,

v.

TONY HEDGPETH et al,

Defendant.

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Case Number: CV08-00283 CRB

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on January 24, 2008, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Ruben Servin K-82958  
Kern Valley State Prison  
P.O. Box 6000  
B3 204  
Delano, CA 93215-5102

Dated: January 24, 2008

Richard W. Wieking, Clerk  
By: Barbara Espinoza, Deputy Clerk